

intention of printing as photographs for whatever fee is required to be inserted into the kiosk.

You detail the operation of a flatbed scanner in your rejection of claim 5, however, most flatbed scanners in the industry operate in a similar manner, and that operation is not what is unique to the present invention, but rather the integrated memory card reader slots, and the USB only connection. The verbiage contained in claim 5 of the present Application is not disclosed in the Nihei reference.

With respect to claim 6, the inventive apparatus method of detection of inserted media is to further the "auto-launch" capability wherein the user does not have to press a touch screen or give a command. The Nihei reference does not disclose automatic operation, but rather requires user commands and insertion of coins to facilitate the process.

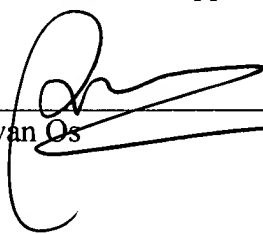
With respect to claim 7, the buttons referenced on the inventive scanner are separately programmable buttons whereby a user can fax or email the contents of their scanned item or that derived from the memory card. The Nihei reference does not disclose means for faxing or emailing, but rather only printing out the chosen photographic images. This fax or email function of the inventive apparatus is also an integral part of the button controls specific to the inventive scanner. They are not off/on type function buttons.

With respect to claim 8, again the Nihei reference is not claiming or disclosing a flatbed scanner in the sense that it is the invention, but rather a component of its multi-component kiosk. The present invention is claiming and disclosing a flatbed scanner with one or more memory card reader slots integrated into said scanner.

The Nihei kiosk (Exhibit B) is a multi-component apparatus for receiving data from a user to ultimately produce photographic images. It has no fax or email capability, nor is the card reader integrated into the scanner as with the present invention. It is also of import to note that any claims relating to photographic processing have already been cancelled from the present Application, removing it further from the realm of Nihei.

Since the two apparatus are so vastly different, it would seem a detriment to the public to not have the inventive scanner available at some point on the market due to misapplied claims comparisons or mechanical comparisons. The inventive scanner is designed for a totally different use and market, and is not mechanically or functionally equivalent to the Nihei reference.

We respectfully request that the aforementioned Application be allowed.

  
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